

**BOROUGH OF GREAT BEND
SUSQUEHANNA COUNTY PENNSYLVANIA
ORDINANCE NO. 5-3-07(2)**

AN ORDINANCE OF THE BOROUGH OF GREAT BEND, COUNTY OF SUSQUEHANNA, STATE OF PENNSYLVANIA, AUTHORIZING THE GREAT BEND HOSE CO. NO. 1 TO CHARGE AND RECOUP THE COSTS OF CERTAIN EMERGENCY/RESCUE SERVICES, EQUIPMENT AND TRAINING.

Be it ordained and enacted, and it is hereby ordained and enacted by the Borough of Great Bend, County of Susquehanna, State of Pennsylvania, Ordinance No. 5-3-07(2) which as follows:

WHEREAS, the Borough of Great Bend has within its boundary the Great Bend Hose Co. No.1, Inc. a fire fighting and emergency services organization.

WHEREAS, the Borough of Great Bend financially supports the Great Bend Hose Co. No. 1 organization which provides services to the Borough of Great Bend; and

WHEREAS, the purchase of tools and equipment, supplies, training and fuel is expensive for the Great Bend Hose Co. No.1; and

WHEREAS, the Great Bend Hose Co. No.1 organization has requested the Borough of Great Bend to enact an ordinance for recovery of the cost of said tools and equipment, supplies, training, fuel and the wear and tear upon such and for the replacement of materials that are used from time to time; and

WHEREAS, insurance coverage often is available to effectuate the aforesaid cost recovery of training, utilization of said tools, equipment and materials used by the Great Bend Hose Co. No.1 organization; and

WHEREAS, the Borough of Great Bend believes it is in the best interest of its citizens and the Great Bend Hose Co. No.1 organization to pass an ordinance for the above purposes of effecting said cost recoveries by the Great Bend Hose Co. No. 1 organization.

NOW, THEREFORE, the Council of the Borough of Great Bend, County of Susquehanna, Pennsylvania enacts and ordains as follows:

Section 1. Definitions. As used herein, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

A. **Person:** A natural person or individual, partnership, corporation, association, firm or any other legal entity.

B. Borough of Great Bend, County of Susquehanna: The Borough of Great Bend, a municipal corporation situate in the County of Susquehanna, of the State of Pennsylvania.

C. The Great Bend Hose Co. No.1 Organization: Any and all persons providing emergency rescue services in the Borough of Great Bend, County of Susquehanna to any Borough and/or Township within the contracted fire protection area including but not limited to Township of Great Bend, County of Susquehanna and areas of Windsor, Broome County New York and any other political subdivision where Rescue Services were provided by the Great Bend Hose Co. No. 1 under Mutual Aid, as well as resident or other person or property within the Borough Great Bend, and/or Township within the contracted fire protection area and any other political subdivision where Rescue Services were provided by the Great Bend Hose Co. No.1 under Mutual Aid, or otherwise authorized by the Council of the Borough of Great Bend.

In this section, the singular shall include the plural, plural shall include the singular and each gender shall include all other genders.

Section 2. Authorization of Services and Equipment. The Borough of Great Bend of Susquehanna County authorizes the Great Bend Hose Co. No.1 organization to unitize such tools, equipment or materials and provide fire fighting or other emergency rescue services as authorized by law to the Borough of Great Bend, and/or Great Bend Township and/or Windsor, New York being within the contracted fire protection areas and any other political subdivision where Rescue Services were provided by the Great Bend Hose Co. No.1 under Mutual Aid, for the purposes of saving lives and property within the Borough of Great Bend and/or Great Bend Township and/or Windsor, New York being within the contracted fire protection area and any other political subdivision where Rescue Services were provided by the Great Bend Hose Co. No.1 under Mutual Aid, to provide such materials and services as set out herein.

Section 3. Authorization to Recover Cost. The Great Bend Hose Co. No.1 organization is authorized to effect the recovery of the costs of their respective services, tools, equipment and/or materials from any person for whom or for whose property such services were rendered or such tools, equipment or material were used, and from any insurance carrier or person providing insurance covering such persons or property.

Section 4. Charges and Invoicing. The Great Bend Hose Co. No.1 organization may charge and invoice (a) any insurance carrier or other person providing insurance covering any person, vehicle, structure, business (profit or Nonprofit) or other property; or (b) any person for whom or for whose property and the Great Bend Hose Co.1 organization performs services or utilizes tools, equipment or materials, for the costs of such services rendered unto or tools, equipment or materials used for such persons or their property.

Section 5. Schedule and Fees. The Council of the Borough of Great Bend, County of Susquehanna, State of Pennsylvania may, by Resolution, from time to time, establish, revise, amend or rescind a schedule of fees for the services, tools, equipment and materials described herein.

Fee Schedule

Light Duty Rescue	\$400.00 Plus Materials
Heavy Duty Rescue	\$600.00 Plus Materials

Response Fee does not include any ancillary charges.

Estimated Fee Schedule increase 7-10% per year without a resolution or permission from the Borough of Great Bend Council.

Light Duty Rescue: Any rescue utilizing personnel and equipment in securing and protecting the scene. Services provided include the use of hand tools (ex. Cutting battery cables), absorbent material ("Speedi Dry", Cat Litter).

Heavy Duty Rescue: Any rescue utilizing personnel and equipment in securing and protecting the scene. Services provided include the use of hand tools, (ex. Cutting battery cables), absorbent material ("Speedi Dry", Cat Litter) reflective or combustible warning devices, warning signs, traffic control cones and stabilization of vehicle(s), as well as the use of hydraulic, pneumatic or gas powered tools to free a victim(s) from entrapped state.

No fees are applicable for residential fire calls.

Section 6. Enforcement. In the event that any insurance carrier or person fails to pay any invoice described herein within thirty (30) days of mailing or delivery of such invoice or notice of charges, the Great Bend Hose Co. No. 1 organization who on behalf of the Great Bend Hose Co. No. 1 mailed or delivered such invoice may recover and collect such charges and invoices from the insurance carrier or person to whom such invoice or notice of charges was given, together with interest, costs and reasonable attorney's fees, in any manner provided by law, including without limitation, a civil action at law.

Section 7. Penalties and Remedies Not Mutually Exclusive. The remedies provided herein for the enforcement of this ordinance and all other remedies provided by law shall not be deemed mutually exclusive, rather, they may be employed simultaneously or consecutively, at the option of the Borough of Great Bend, County of Susquehanna, or the Great Bend Hose Co. No.1 organization.

Section 8. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.

Section 9. Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutional, illegal or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough of Great Bend, County of Susquehanna that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included herein.

Section 10. Effective Date. This Ordinance shall become effective immediately upon adoption.

ENACTED AND ORDAINED the 3rd day of May, 2007 at the regular meeting of the Council of the Borough of Great Bend, County of Susquehanna by a vote of 7 YES, 0 NO.

Seal

Shelia Guinan
Secretary, Great Bend Borough

Beatrice Alenby
President, Great Bend Borough

James L. Litch
Mayor, Great Bend Borough